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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/175,521	10/20/98	BEDROSIAN	P L0012/7000

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EXAMINER

GLENN, K

ART UNIT

PAPER NUMBER

2817

DATE MAILED:

10/15/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/175,521

Applicant(s)  
Bedrosian

Examiner  
Kimberly E. Glenn

Group Art Unit  
2817



☒ Responsive to communication(s) filed on Oct 20, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-25 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 9, 19, and 20 is/are rejected.

☒ Claim(s) 2-8, 10-18, and 21-25 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Oct 20, 1998 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the control circuitry connection to the input signal as recited in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1, 9 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by McCollough et al. US Pat. 5,903,748.

McCollough et al. discloses a method and apparatus for managing failure of a system clock in data processing system.

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Claims 1, 9 and 20 are rejected based on McCollough disclosure of a loss of clock detect circuit 24, a control circuit 28, (24 and 28 make up the control circuitry) and a phase locked loop circuit 12 comprising of a phase frequency detector 14, charge pump 16, filter network 18, and voltage controlled oscillator. McCollough states in column 2 lines 30-41, a loss of clock detect circuit 24 receives the input reference clock 34, and the feedback signal 36 from the PLL. When either or both of these clock signals are lost, the loss detect circuit 24, is enabled, generates one or more loss of clock signals to a control circuit 28. The control circuit 28 generates a control signal to the voltage controlled oscillator 20 to put the oscillator in self clock mode.

Claim 9 is further rejected based column 2 lines 12-14 of McCollough. The reference clock 34(source clock) may be generated on the same integrated circuit as that containing the system 10 or may be provided by an external source.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCollough et al. US Pat. 5,903,748 in view of Daly US Pat. 719,508.

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McCollough et al. discloses a method and apparatus for managing failure of a system clock in data processing system. A discussion of McCollough is found in the above 102(e) rejection.

McCollough et al fails to disclose a plurality of network elements used in a telecommunications network.

In column 1 lines 10-14 of Daly states " All digital communications systems require some degree of synchronization to incoming signals by the receivers. The basic level of synchronization required for coherent reception is the phase synchronization of the incoming signals with a locally generated carrier. At the heart of all phase synchronization systems is some version of phase locked loop".

Telecommunication networks contain both receivers and transmitters. These networks require a continuous clock signal in order to operate correctly. Therefore these systems need a stable oscillator which can maintain an oscillation even if the reference clock is lost. .

It would have been obvious to one with ordinary skill in the art to make use of phase locked loop in a clock module which are notoriously well known element in telecommunication networks for synchronization.

*Allowable Subject Matter*

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Claims 2-8, 10-18 and 21-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly E. Glenn whose telephone number is (703) 306-5942. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Kimberly E. Glenn

October 8, 1999

  
2817

**ARNOLD KINKEAD  
PRIMARY EXAMINER**